



JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FILED MAY 11 2005
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DOCKET NO. 1629

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

***IN RE NEURONTIN MARKETING, SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION***

(SEE ATTACHED SCHEDULE A)

ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in the 21 actions listed on the attached Schedule A on April 13, 2005. Prior to expiration of that order's fifteen-day stay of transmittal, plaintiffs in the 21 actions submitted a notice of opposition to the proposed transfer. Plaintiffs have now advised the Panel that they withdraw their initial opposition to transfer with respect to these 21 actions.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-6" filed on April 13, 2005, is LIFTED, and thus these 21 actions are transferred to the District of Massachusetts for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Patti B. Saris.

FOR THE PANEL:

Michael J. Beck
Michael J. Beck
Clerk of the Panel

SCHEDULE A

MDL-1629 — In re Neurontin Marketing, Sales Practices and Products Liability Litigation

Southern District of Alabama

Darlene Owens, etc. v. Pfizer, Inc., et al., C.A. No. 1:04-768

District of New Jersey

James H. Whitehouse, Sr., et al. v. Pfizer, Inc., et al., C.A. No. 2:04-6257

Northern District of New York

Frank Vercillo, Jr. v. Pfizer, Inc., et al., C.A. No. 5:05-32

Southern District of New York

Gary L. Lyman, etc., et al. v. Pfizer, Inc., et al., C.A. No. 1:04-6704

Mark Minisquero, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-7297

Nicole Justine James v. Pfizer, Inc., et al., C.A. No. 1:04-7374

Jay DiGiacomo v. Pfizer, Inc., et al., C.A. No. 1:04-7962

Avrill C. Aronson, etc. v. Pfizer, Inc., et al., C.A. No. 1:04-8721

Joy Dodson, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-8963

Timothy P. Scott, etc. v. Pfizer, Inc., et al., C.A. No. 1:04-8990

Dorothy Kern v. Pfizer, Inc., et al., C.A. No. 1:04-9249

John Dees, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-9304

Peter Veraas v. Pfizer, Inc., et al., C.A. No. 1:04-9429

Theodore Populis, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-10265

Kathleen Wilson, etc. v. Pfizer, Inc., et al., C.A. No. 1:05-72

William Montgomery v. Pfizer, Inc., et al., C.A. No. 1:05-73

Michael Mendoza v. Pfizer, Inc., et al., C.A. No. 1:05-74

Johnnie Hargrove v. Pfizer, Inc., et al., C.A. No. 1:05-75

Shanan Feyer, etc. v. Pfizer, Inc., et al., C.A. No. 1:05-76

Gregory Retzer v. Pfizer, Inc., et al., C.A. No. 1:05-77

Sidney Brown, etc. v. Pfizer, Inc., et al., C.A. No. 1:05-237

25cv11017 PBS

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**U.S. District Court
Southern District of Alabama - District Version 2.4 (Mobile)
CIVIL DOCKET FOR CASE #: 1:04-cv-00768-WS-L**

Owens v. Pfizer, Inc. et al
Assigned to: Judge William H. Steele
Referred to: Magistrate Judge Kristi D. Lee
Case in other court: Mobile Circuit Court, 04-04035
Cause: 28:1332 Diversity-Product Liability

Date Filed: 12/01/2004
Jury Demand: Both
Nature of Suit: 365 Personal Inj. Prod.
Liability
Jurisdiction: Diversity

Plaintiff

Darlene Owens
*as Personal Representative of the
Estate of Joseph Frank Owens,
deceased*

represented by **Frank Woodson**
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V.

Defendant

Pfizer, Inc.

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Defendant

Warner-Lambert Co.

represented by **Andrew Burns Johnson**
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Fred M. Haston, III
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James W. Gewin
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Date Filed	#	Docket Text
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12/01/2004	<u>1</u>	NOTICE OF REMOVAL by Pfizer, Inc., Warner-Lambert Co. from Mobile County Circuit Court, case number 04-4035. (Filing fee \$ 150, Receipt number 49338.) (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Complaint, # <u>3</u> Exhibits)(tgw) (Entered: 12/02/2004)
12/01/2004	<u>2</u>	Disclosure Statement filed by Defendants Pfizer, Inc., Warner-Lambert Co. Ref to Judge Steele and Judge Lee (tgw) (Entered: 12/02/2004)
12/01/2004	<u>3</u>	MOTION to Dismiss and MOTION for Judgment on the Pleadings by Pfizer, Inc., Warner-Lambert Co. Referred to Judge Steele(tgw) (Entered: 12/02/2004)
12/02/2004	<u>4</u>	PRELIMINARY SCHEDULING ORDER entered. Rule 26 Meeting Report due by 1/17/2005. Signed by Judge Kristi D. Lee on 12/2/04. (tgw) (Entered: 12/02/2004)
12/02/2004	<u>5</u>	Document endorsed NOTED by Judge William H. Steele : Disclosure Statement <u>2</u> filed by Warner-Lambert Co., Pfizer, Inc. (Steele, William) (Entered: 12/02/2004)
12/02/2004	<u>6</u>	MOTION for Hearing <i>on Motion to Dismiss</i> by Warner-Lambert Co.. (Johnson, Andrew) (Entered: 12/02/2004)
12/02/2004	<u>7</u>	Order, re: <u>3</u> MOTION to Dismiss MOTION for Judgment on the Pleadings filed by Warner-Lambert Co. & Pfizer, Inc., responses due by 12/16/2004 and replies due by 12/27/2004. Motion to be taken under submission on 12/28/2004.Signed by Judge Steele. Copies to parties 12/3/04.(mpp) (Entered: 12/03/2004)
12/03/2004		REFERRAL OF <u>6</u> MOTION for Hearing <i>on Motion to Dismiss</i> to Judge Steele. NOTE: There is no image for this entry. (mpp) (Entered: 12/03/2004)
12/14/2004	<u>8</u>	RESPONSE in Opposition re <u>3</u> MOTION to Dismiss MOTION for Judgment on the Pleadings filed by Darlene Owens. (Attachments: # <u>1</u> Exhibit Petition for Letters of Administration# <u>2</u> Exhibit Letters of Administration)(Woodson, Frank) (Entered: 12/14/2004)
12/14/2004		REFERRAL OF <u>8</u> Response in Opposition to Motion to Judge Steele. NOTE: There is no image for this entry. (tgw,) (Entered: 12/14/2004)
12/27/2004	<u>9</u>	REPLY Brief filed by Defendants Pfizer, Inc., Warner-Lambert Co. re: <u>8</u> Response in Opposition to Motion filed by Pfizer, Inc., Warner-Lambert Co.. (Attachments: # <u>1</u> Exhibit Exhibit A)(Johnson, Andrew) (Entered: 12/27/2004)
12/27/2004		REFERRAL OF <u>9</u> Reply Brief to Judge Steele. NOTE: There is no image for this entry. (mpp) (Entered: 12/27/2004)
12/29/2004	<u>10</u>	ORDER denying <u>3</u> Motion to Dismiss, denying <u>3</u> Motion for Judgment on the Pleadings . Signed by Judge William H. Steele on 12/29/04. (tgw) (Entered: 12/30/2004)

01/10/2005	<u>11</u>	ANSWER to Complaint with Jury Demand by Pfizer, Inc., Warner-Lambert Co..(Johnson, Andrew) (Entered: 01/10/2005)
01/18/2005	<u>12</u>	REPORT of Rule 26(f) Planning Meeting. (Woodson, Frank) (Entered: 01/18/2005)
01/19/2005		REFERRAL OF <u>12</u> Report of Rule 26(f) Planning Meeting to Judge Lee. NOTE: There is no image for this entry. (tgw) (Entered: 01/19/2005)
01/25/2005	<u>13</u>	SCHEDULING ORDER: Pretrial Conference set for 7/19/2006 09:00 AM in Chambers before Judge William H. Steele. Amended Pleadings due by 4/29/2005. Discovery cutoff 5/1/2006. Motions due by 5/9/2006. Jury Selection set for 8/1/2006 09:00 AM in Courtroom 2A before Judge William H. Steele. Jury Trial set for 8/1/2006 09:00 AM in Courtroom 2A before Judge William H. Steele. Position Regarding Settlement due by 5/1/2006. Signed by Judge Kristi D. Lee on 1/25/05. (Attachments: # <u>1</u> Standing Pretrial Order)(tgw) (Entered: 01/25/2005)
01/25/2005	<u>14</u>	AMENDED SCHEDULING ORDER: Pretrial Conference reset for 7/18/2006 09:00 AM in Chambers before Judge William H. Steele. Signed by Judge Kristi D. Lee on 1/25/05. (tgw) (Entered: 01/25/2005)
02/11/2005	<u>15</u>	26(a)(1) Initial Disclosures filed by Darlene Owens. (Woodson, Frank) Modified docket text on 2/11/2005 (mpp). (Entered: 02/11/2005)
03/31/2005	<u>16</u>	MOTION for Ronald Rosenkranz & Kenneth B. Fromson to Appear Pro Hac Vice for Darlene Owens. (Attachments: # <u>1</u> Applications, # <u>2</u> Certification) Referred to Judge Lee 4/4/05. (mpp) Additional attachment# <u>3</u> PHV fee added on 4/5/2005 (mpp). (Entered: 04/04/2005)
04/15/2005	<u>17</u>	ORDER denying <u>16</u> Motion to Appear Pro Hac Vice as set out. Signed by Judge Kristi D. Lee on 4/15/05. Copies to parties.(mpp) (Entered: 04/15/2005)

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